



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9889 of 2015

and

M.P.No.2 of 2015

M.Sitaraman

...Petitioner

Vs

1. The Chief Engineer,
TANGEDCO (Formerly Tamil Nadu Electricity Board)
Vesar Electricity Office,
Vellore, Vellore District.
2. The Superintending Engineer,
TANGEDCO (Formerly Tamil Nadu Electricity Board)
Dharmapuri Electricity Distribution Circle,
Opp. To Collector Office, Dharmapuri.
3. The Executive Engineer,
TANGEDCO (Formerly Tamil Nadu Electricity Board)
Royagottah Road, Hosur, Krishnagiri District,
4. The Executive Engineer,
TANGEDCO (Formerly Tamil Nadu Electricity Board)
Bagalur, Hosur Taluk, Krishnagiri District.
5. M/s.E.R.Textiles Limited represented by its
Managing Director,
2/1, Nariganapuram Village,
Bengaluru-Berikai Road,
Bagalur, Hosur taluk,
Krishnagiri District.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the first respondent in connection with the impugned order in Letter No.526/TP/P/V/SU/K Public/2015 dated 11.03.2015 passed by the first respondent and quash the same.



WEB COPY

For Petitioner : Mr.M.Ramamoorthi

For Respondents: Mr.L.Jaivenkatesh

For TANGEDCO [For R1 to R4]

No appearance [For R5]

O R D E R

The order dated 11.03.2015, rejecting the objections raised by the petitioner for commissioning of High Tension Electricity Pole is under challenge in the present writ petition.

2. The High Tension Electricity Pole running through the land belongs to the petitioner was already erected and the order impugned also states that the works are to be done in public interest. The writ petition was filed in the year 2015 and the High Tension Electricity Poles were erected long back and the power supply is being provided.

3. The learned counsel for the petitioner states that the petitioner is entitled for compensation.

4. No doubt, the petitioner is entitled for compensation and in this regard, the assessment is to be made. The petitioner under the provisions of the Act, has to approach the District Collector for determination of compensation if already not made. If the compensation has already been determined and deposited, then the petitioner is entitled to receive the said compensation. In this regard, the petitioner is at liberty to approach the District Collector concerned for the purpose of redressal of his grievances only with reference to the compensation and in the event of any approach by the petitioner, the period during which, the writ petition was pending before the High court is to be condoned for the purpose of entertaining such application and deciding the entitlement of the petitioner for compensation alone. In respect of other objections for erection of High Tension Electricity Pole, the claim of the petitioner stands rejected.

5. With these observations, the writ petition stands disposed of. No cost. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar



nti/kak

To

1. The Chief Engineer,
TANGEDCO (Formerly Tamil Nadu Electricity Board)
Vesar Electricity Office,
Vellore, Vellore District.
2. The Superintending Engineer,
TANGEDCO (Formerly Tamil Nadu Electricity Board)
Dharmapuri Electricity Distribution Circle,
Opp. To Collector Office, Dharmapuri.
3. The Executive Engineer,
TANGEDCO (Formerly Tamil Nadu Electricity Board)
Royagottah Road, Hosur, Krishnagiri District,
4. The Executive Engineer,
TANGEDCO (Formerly Tamil Nadu Electricity Board)
Bagalur, Hosur Taluk, Krishnagiri District.

W.P.No. 9889 of 2015

AD(CO)
GMY(21/01/2022)